



DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2024-0099; Notice 1]

Toyota Motor North America, Receipt of Petition for Decision of Inconsequential Noncompliance

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: Toyota Motor North America, Inc. (Toyota), on behalf of Toyota Motor corporation (TMC) (collectively referred to as “Toyota”), has determined that certain Joyson Safety Systems Seat Belt Assemblies do not fully comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 209, *Seat Belt Assemblies*. Toyota filed a noncompliance report dated November 13, 2024, and subsequently petitioned NHTSA (the “Agency”) on December 6, 2024, for a decision that the subject noncompliance is inconsequential as it relates to motor vehicle safety. This document announces receipt of Toyota’s petition.

DATES: Send comments on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Interested persons are invited to submit written data, views, and arguments on this petition. Comments must refer to the docket and notice number cited in the title of this notice and may be submitted by any of the following methods:

- Mail: Send comments by mail addressed to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- Hand Delivery: Deliver comments by hand to the U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room

W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590. The Docket

Section is open on weekdays from 10 am to 5 pm except for Federal Holidays.

- Electronically: Submit comments electronically by logging onto the Federal Docket Management System (FDMS) website at <https://www.regulations.gov/>. Follow the online instructions for submitting comments.
- Comments may also be faxed to (202) 493-2251.

Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive confirmation that comments you have submitted by mail were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to https://www.regulations.gov, including any personal information provided.

All comments and supporting materials received before the close of business on the closing date indicated above will be filed in the docket and will be considered. All comments and supporting materials received after the closing date will also be filed and will be considered to the fullest extent possible.

When the petition is granted or denied, notice of the decision will also be published in the **Federal Register** pursuant to the authority indicated at the end of this notice.

All comments, background documentation, and supporting materials submitted to the docket may be viewed by anyone at the address and times given above. The documents may also be viewed on the Internet at https://www.regulations.gov by following the online instructions for accessing the dockets. The docket ID number for this petition is shown in the heading of this notice.

DOT's complete Privacy Act Statement is available for review in a Federal Register notice published on April 11, 2000 (65 FR 19477-78).

FOR FURTHER INFORMATION CONTACT: Kelley Adams-Campos, Safety Compliance Engineer, NHTSA, Office of Vehicle Safety Compliance, (202) 366-7479.

SUPPLEMENTARY INFORMATION:

I. Overview: Toyota determined that certain replacement seat belt assemblies intended for use in certain MY 2003-2025 Toyota and MY 2016-2024 Lexus vehicles do not fully comply with paragraphs 4.1(k) and 4.1(l) of FMVSS No. 209, *Seat Belt Assemblies* (49 CFR 571.209) and filed a noncompliance report on November 13, 2024, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*. Toyota petitioned NHTSA on December 6, 2024, for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential as it relates to motor vehicle safety, pursuant to 49 U.S.C. 30118(d) and 30120(h) and 49 CFR part 556, *Exemption for Inconsequential Defect or Noncompliance*.

This notice of receipt of Toyota's petition is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or another exercise of judgment concerning the merits of the petition.

II. Equipment Involved: Approximately 12,216 seat belt assemblies, manufactured between July 1, 2020, and July 3, 2024, by Joyson Safety Systems, were reported by the manufacturer.

III. Rule Requirements: Paragraphs 4.1(k) and 4.1(l) of FMVSS No. 209 include the requirements relevant to this petition. S4.1(k) *Installation Instructions* specifies that a seat belt assembly, other than a seat belt assembly installed in a motor vehicle by an automobile manufacturer, shall be accompanied by an instruction sheet providing sufficient information for installing the assembly in a motor vehicle. If the assembly is for use only in specifically stated motor vehicles, the assembly shall either be permanently and legibly marked or labeled with the following statement, or the instruction sheet shall include the following statement:

“This seat belt assembly is for use only in [insert specific seating position(s), e.g., “front right”] in [insert specific vehicle make(s) and model(s)].”

Paragraph 4.1(l) of FMVSS No. 209 requires, in part, that a seat belt assembly shall be accompanied by written instructions for the proper use of the assembly, stressing particularly the importance of wearing the assembly snugly and properly located on the body, and on the maintenance of the assembly and periodic inspection of all components.

IV. Noncompliance: Toyota explains that approximately 12,216 seat belt assemblies sold as replacement equipment are missing the required installation instruction sheets or are accompanied by incorrect installation instruction sheets required by FMVSS 209 S4.1(k) and S4.1(l).

V. Summary of Toyota's Petition: The following views and arguments presented in this section, "V. Summary of Toyota's Petition," are the views and arguments provided by Toyota. They have not been evaluated by the Agency and do not reflect the views of the Agency. Toyota describes the subject noncompliance and contends that the noncompliance is inconsequential as it relates to motor vehicle safety.

In its petition, Toyota states that the noncompliance is inconsequential to motor vehicle safety for the following reasons:

I. The subject seat belt assemblies were sold only by Toyota dealerships. Improper replacement seat belt assembly selection would not likely occur due to the dealerships' replacement parts ordering system and the parts packaging.

Toyota contends it is unlikely that the subject seat belt assemblies would be selected for an incorrect seating position because the subject seat belt assemblies were only sold by Toyota dealerships. Toyota further states that the parts ordering system clearly indicates the part, enabling identification of the appropriate model vehicle and seating position for which the assembly is intended to be installed. Toyota explains how a replacement part can be searched in its "robust" part ordering system, using VIN, part number and vehicle model. Toyota also states the part can be identified by the label on the box, which specifies the part number and the part description. See Figure 1 of Toyota's petition for an example label on a part box. Because of the

parts ordering system and package labeling, Toyota believes the missing or incorrect installation instruction sheet “has no effect on a dealership’s ability to provide the correct replacement part ordered or on the installer’s ability to correctly identify the appropriate replacement part.”

II. Improper installation of the seat belt assembly is unlikely. Dealership technicians and third-party installers can access Toyota’s electronic repair manual and other aftermarket manuals.

Toyota states that it is unlikely that an improper installation of a replacement seat belt would occur as a result of a “missing or incorrect” instruction sheet. First, because an incorrect instruction sheet, which specifies the vehicle model and an image of the [seat belt assembly’s] seating position, would be noticed by the purchaser. Toyota contends this would result in the purchaser obtaining the correct installation information from a different source or return the part to the dealer. Second, an installer who returns the part with the incorrect installation instruction sheet to the dealer would request the correct installation instructions from the dealer. Toyota states that technicians at Toyota dealerships have access to Toyota’s electronic repair manual and that third party installers have access to various aftermarket repair manuals and can obtain access to Toyota’s electronic repair manual. Toyota states that the “instructions would be provided free of charge” to an installer requesting a copy from Toyota. Furthermore, Toyota argues, that the seat belt assemblies “have characteristics that discourage incorrect installation,” and that “the installation procedure is the reverse of part removal.” Toyota also explains that the torque value for mounting the seat belt assemblies “is correct regardless of which instruction sheet is used” such that “even if the technician uses the torque values from the wrong installation instruction sheet, the torque value will still be correct.” See Toyota’s petition for its audit findings on the subject seat belt assemblies.

III. The replacement seat belt assemblies are intended to replace the original equipment seat belts. The owner’s manual for each vehicle contains the seat belt usage and maintenance instructions.

The affected seat belt assemblies are designed to replace the originally equipped seat belts in specific Toyota vehicles, according to Toyota. Toyota argues that an owner of a vehicle for which the subject seat belt assemblies were designed would not need to refer to the instruction sheet for usage and maintenance instructions because this information is contained in those vehicles' accompanying owner's manual.

IV. The seat belts comply with all other requirements of FMVSS No. 209

Toyota states that the “missing or incorrect” instruction sheets have “no bearing on the materials or performance of the replacement seatbelt [*sic*] assembly itself.” Toyota further contends that there is no impact to “performance, functionality, or occupant safety.”

V. Toyota is unaware of complaints of missing or incorrect instruction sheets.

Toyota states that as of 11/13/2024 it found no “owner complaints, field reports, warranty claims, legal claims, or dealer technical assistance call records concerning the missing or incorrect installation instructions.”

VI. NHTSA has granted petitions for inconsequential noncompliance relating to the subject requirement of FMVSS No. 209.

Toyota lists the following inconsequential noncompliance petitions for missing or incorrect instruction sheets for certain replacement seat belt assemblies granted by NHTSA and believes the reasons they were granted apply to the subject Toyota replacement seat belt assemblies:

- FCA US LLC (84 FR 20948, May 3, 2019)
- Mitsubishi Motors North America, Inc., (77 FR 24762, Apr. 25, 2012)
- Bentley Motors Inc. (76 FR 58343, Sept. 20, 2011)
- Hyundai Motor Company (74 FR 9125, Mar. 2, 2009)
- Ford Motor Company, (73 FR 11462, Mar. 3, 2008)
- Mazda North American Operations (73 FR 11464, Mar. 3, 2008)
- Subaru of America, Inc., (65 FR 67471, Nov. 9, 2000)

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, any decision on this petition only applies to the subject equipment that Toyota no longer controlled at the time it determined that the noncompliance existed. However, any decision on this petition does not relieve equipment distributors and dealers of the prohibitions on the sale, offer for sale, or introduction or delivery for introduction into interstate commerce of the noncompliant equipment under their control after Toyota notified them that the subject noncompliance existed.

(Authority: 49 U.S.C. 30118, 30120; delegations of authority at 49 CFR 1.95 and 501.8)

Otto G. Matheke III,

Director, Office of Vehicle Safety Compliance.

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